



UNITED STATES PATENT AND TRADEMARK OFFICE

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**COPY MAILED**

**JAN 21 2005**

In re Application of

**OFFICE OF PETITIONS**

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: DECISION ON PETITION

Application No. 09/886,221

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Filed: June 21, 2001

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For: SINK ELECTRICITY,

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GENERATION, COMPUTERS ON THREE

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DIGIT (0,1,2), OPERATION OF

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MACHINERY

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This is a decision on the petition under 37 CFR 1.137(a), filed November 1, 2004, to revive the above-identified application.

This application became abandoned November 6, 2002 for failure to timely reply to the non-final Office action mailed September 5, 2002. The non-final Office action set a three (3) month shortened statutory period of time for reply. No extensions of time in accordance with 37 CFR 1.136 were timely requested.

Notice of Abandonment was mailed April 16, 2003.

A grantable petition under 37 CFR 1.137(a) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(l); (3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unavoidable; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).

The present petition fails to satisfy item (2) set forth above. Submission of the required petition fee is a prerequisite prior to treatment on the merits of a petition submitted under 37 CFR 1.137(a). Accordingly, the instant petition is hereby **DISMISSED WITHOUT PREJUDICE.**

Any renewed petition must be accompanied by the required petition fee, currently \$250.00 for a small entity.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The

reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(a)." This is not a final agency decision.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



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Office of Petitions